

Appl. No. 10/736,863

Remarks:

In the Office Action dated February 20, 2009, the Examiner rejected claims 29, 30, 32, 34-36, 38, 40-44 and 46-49 under 35 U.S.C. 103(a) as being unpatentable over Osypka (US 6,738,674) in view of Huepenbecker et al. (US 6,289,251). Applicants have amended independent claims 29, 35 and 41 to more clearly distinguish over the cited art.

With regard to independent claims 29 and 35, the Examiner stated that the claim language does not specifically require that the tether be tied *into* a knot itself, but rather only requires that the tether be tied *by* a knot. In response, Applicants have amended independent claims 29 and 35 to recite that the tether is tied in a knot to the anchor, thus distinguishing over the cited art for the reasons stated previously in the Amendment dated January 8, 2009.

With regard to independent claim 41, Applicants have amended the claim language to recite an elongate tether consisting of a polymeric cord. The new closed-ended transitional phrase "consisting of" replaces the former open-ended transitional phrase for this particular claimed feature only. Osypka (see paragraph 35 and corresponding Figures 2 and 3c-3d) teaches that the inner lead 14 includes at least a sheath and an electrically conductive coil, which is more than a polymeric cord as presently claimed. Dependent claims 32 and 38 have been similarly amended to incorporate closed-ended language.

With regard to dependent claims 30, 36 and 42, Applicants have amended the claims to require that the connector is disposed in the lumen of the lead adjacent the tether. This feature is not taught by Osypka. With reference to Figure 3b and 3d, the "connector" 26 of Osypka is disposed in the lumen of element 46 which is part of the inner lead 14, not the outer lead 12.

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Thus, as applied, Osypka fails to teach a connector disposed in the lumen of the lead (i.e., outer lead 12) adjacent the tether (i.e., inner lead 14).

Reconsideration and allowance of all pending claims is respectfully requested. Any inquiry regarding this matter may be directed to the undersigned representative at (612) 226-3874.

Respectfully submitted,
Atkinson et al.
By their attorney,

Date: _____

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